

Fair Political Practices Commission Memorandum

To: Chairman Johnson, Commissioners Hodson, Huguenin, Leidigh, and Remy
From: Sukhi Brar, Commission Counsel
Subject: Legislative Report
Date: September 8, 2008

The last day for the Legislature to approve bills was August 31, 2008. This was the end of a two-year legislative session, therefore bills that did not pass the Legislature by the date of adjournment can no longer be considered.

This year, one bill affecting the Political Reform Act (Act) was signed by the governor (AB 1998). There are three bills that were introduced this session that were passed by the Legislature and have been sent to Enrollment but have not yet reached the governor's desk (AB 583, AB 2607 and SB 1772).

AB 583 (Hancock) California Fair Elections Act of 2008.

This bill was passed by the Legislature and sent to Enrollment on August 30, 2008. This bill would enact the California Fair Elections Act of 2008, which authorizes eligible candidates for Secretary of State to obtain public funds to campaign for elective office. This bill requires the Secretary of State to submit those provisions that amend the Political Reform Act to the voters for approval at the June 8, 2010, statewide primary election. The bill provides a revenue stream for the Clean Money Fund, but does not provide adequate funding to the FPPC to appropriately administer and enforce the program. The Commission has opposed this bill due to unmet fiscal needs.

AB 1998 (Silva) Local Agency Formation Commission Proposals.

This bill was signed by the Governor on July 22, 2008, and imposes requirements on committees that are formed to support or oppose a local agency formation commission ("LAFCO") proposal(s). A LAFCO is an administrative body vested with the authority and responsibility to control the process of municipal expansion by overseeing local agency boundary changes. This bill requires LAFCO committees to file monthly campaign statements from the time circulation of a petition begins until a measure is placed on the ballot or the committee is terminated. After a LAFCO proposal measure is placed on the ballot, this bill would require a committee formed to support or oppose the proposal to file those same campaign statements required of other committees formed to support or oppose ballot measures under the Act.

AB 2607 (Davis) Electronic Filing of SEI's.

This bill was passed by the Legislature and sent to Enrollment on August 12, 2008. This bill would authorize the Counties of Los Angeles, Merced, Orange, and Stanislaus to participate in a pilot program to permit the electronic filing of statements of economic interests for filers other than those listed in Government Code Section 87200. This bill would authorize the pilot program from January 1, 2009, to January 1, 2012, and would require counties participating in the pilot program to submit a report to the FPPC containing specified information regarding the

electronic filing process no later than July 1, 2011. The FPPC would transmit these reports, along with any recommendations from the Commission, to the Legislative Analyst's Office, which would be required to provide a report evaluating the program to the Legislature no later than March 1, 2012.

SB 1772 (Senate Rules Committee) Behested Payments.

This bill was passed by the Legislature and sent to Enrollment on August 7, 2008. This bill extends existing "behested payments" reporting requirements to members of the Public Utilities Commission.

September 30, 2008, is the last day for the governor to sign or veto bills passed by the Legislature before September 1, 2008, and *in his possession* after September 1, 2008. (Cal. Const., art. IV, § 10 (b)(2).) Bills enacted on or before September 30, 2008, take effect Jan 1, 2009. (Cal. Const., art IV, § 8 (c)(1).) The 2009-2010 legislative session will begin on December 1, 2008. The bill introduction deadline for 2009 has not yet been set.